

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

MALCOLM DAVIS

PLAINTIFF

v.

Case No. 1:19-cv-1009

GEORGIA PACIFIC CONSUMER
OPERATIONS, LLC and JOHN DOES 1-5

DEFENDANTS

ORDER

Before the Court is the parties' Stipulation of Dismissal. (ECF No. 18). The Court finds that no response is necessary and that the matter is ripe for consideration.

The parties indicate that they have settled all disputes between them. They ask the Court to dismiss this case with prejudice, with the parties bearing their own fees and costs.

An action may be dismissed by "a stipulation of dismissal signed by all parties who have appeared." Fed. R. Civ. P. 41(a)(1)(A)(ii). "Caselaw concerning stipulated dismissals under Rule 41(a)(1)(A)(ii) is clear that the entry of such a stipulation of dismissal is effective automatically and does not require judicial approval." *Gardiner v. A.H. Robins Co.*, 747 F.2d 1180, 1189 (8th Cir. 1984). Thus, Plaintiff's claims against Defendant were effectively dismissed when the parties filed the instant stipulation. However, this order issues for the purpose of maintaining the Court's docket.

This case is hereby **DISMISSED WITH PREJUDICE**, with each side bearing its own fees and costs. If any party desires that the terms of settlement be a part of the record therein, those terms should be reduced to writing and filed with the Court within thirty (30) days of the entry of this judgment. The Court retains jurisdiction to vacate this order upon cause shown that the settlement has not been completed and further litigation is necessary.

IT IS SO ORDERED, this 21st day of August, 2020.

/s/ Susan O. Hickey
Susan O. Hickey
Chief United States District Judge